

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

ZALTON BROOKS, )  
Plaintiff, )  
v. ) CIVIL ACTION NO. 5:15-CV-408 (MTT)  
Warden CLINTON PERRY, et al., )  
Defendants. )

## **ORDER**

Defendant Gary moves to dismiss Plaintiff Brooks's claims for failure to prosecute, citing Brooks's failure to respond to discovery requests and requests for deposition dates. Docs. 49; 49-1 at 2-3. United States Magistrate Judge Stephen Hyles ordered Brooks to respond, warning him that failure to respond might result in dismissal. Doc. 50 at 3-4. Brooks failed to respond. The Magistrate Judge recommends granting Gary's motion. Doc. 52. Brooks has not objected and the time for filing objections has expired.

The Court has carefully reviewed the Recommendation, and accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Court finds of particular importance that Brooks has not filed anything in this case since May 2, 2016, when he notified the Court that he was no longer incarcerated in the Houston County Detention Center and requested that mail be sent to a private address—1048 Chatham Street, Macon, Georgia 31202. Doc. 29. All subsequent documents have been mailed to him at that address, but Brooks has not been heard from since. Some mail sent by the Court to that address has been returned as undeliverable because the house is vacant and Brooks left no forwarding address. Doc. 53. Brooks had the obligation to keep the Court informed as to his address and obviously has not done so.

For these reasons, the Recommendation is **ADOPTED**. Gary's motion to dismiss (Doc. 49) is **GRANTED** and Brooks's claims against him are **DISMISSED without prejudice**.

**SO ORDERED**, this 30th day of June, 2017.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT